

# HOLWELL SHUSTER & GOLDBERG LLP

425 Lexington Avenue  
New York, New York 10017  
www.hsgllp.com

Gregory J. Dubinsky  
(646) 837-5151  
gdubinsky@hsgllp.com

March 1, 2024

## VIA ECF

The Honorable Lorna G. Schofield  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Harrington Global Opportunity Fund, Ltd. v. BofA Securities, Inc., No. 21-CV-761

Dear Judge Schofield:

We write on behalf of Plaintiff Harrington Global Opportunity Fund, Limited (“Harrington”). On February 1, 2024, the Court adjourned the discovery deadline in this matter to May 10, 2024. ECF No. 189 at 2. The same day, the Court issued the Fourth Amended Civil Case Management Plan and Scheduling Order (the “Order”). ECF No. 188.

In the Order, the Court wrote that “[n]either party shall serve upon each other any additional Requests for Production, Interrogatories, or Requests for Admission.” Harrington does not read this to encompass third-party discovery. Out of caution, Harrington writes to respectfully request the Court’s clarification before serving third-party subpoenas at this time. In light of Defendants’ recent and ongoing discovery productions, it has become apparent third-party discovery may be key in respect of certain issues in this case. If the Court did intend to foreclose any further third-party discovery, Harrington intends to proceed by way of a motion for leave to take such discovery.

Respectfully submitted,

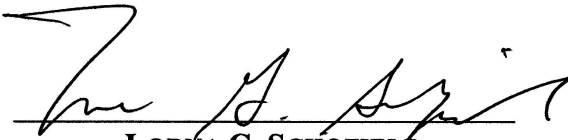
HOLWELL SHUSTER & GOLDBERG LLP

By: /s/ Gregory J. Dubinsky

Richard J. Holwell  
Gregory Dubinsky  
Andrew C. Indorf  
Aditi Shah  
425 Lexington Avenue  
New York, NY 10017  
Tel.: (646) 837-5151  
rholwell@hsgllp.com  
gdubinsky@hsgllp.com  
aindorf@hsgllp.com  
ashah@hsgllp.com

The parties may engage in third-party discovery.  
So Ordered.

Dated: March 4, 2024  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

WARSHAW BURSTEIN LLP

Alan M. Pollack

Felicia S. Ennis

Thomas Filardo

Leron Thumim

Matthew A. Marcucci

575 Lexington Avenue, 7th Floor

New York, New York 10022

Tel.: (212) 984-7700

apollack@wbny.com

fennis@wbny.com

tfilardo@wbny.com

lthumim@wbny.com

mmarcucci@wbny.com

CHRISTIAN ATTAR

James Wes Christian

Ardalan Attar

2302 Fannin, Suite 205

Houston, Texas 77002

Tel.: (713) 659-7617

jchristian@christianattarlaw.com

aattar@christianattarlaw.com